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CLOSED

Attorneys for Plaintiff Disney
Enterprises, Inc.

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4526 Stonewall Rd. NW
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Defendants

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Disney Enterprises, Inc.,

Plaintiff,

v.

Roger Roye, an individual and d/b/a
www.disnyshop.com; Double R
Distributing and Does 1 – 10, inclusive,

Defendants.

Case No.

CV 10-02363 DDP (VBKx)

CONSENT DECREE AND
PERMANENT INJUNCTION

The Court, having read and considered the Joint Stipulation for Entry of
Consent Decree and Permanent Injunction that has been executed by Plaintiff Disney
Enterprises, Inc. (“Plaintiff”) and Defendants Roger Roye, an individual and d/b/a
www.disneyshop.com, and Double R Distributing (collectively “Defendants”) in this
action, and good cause appearing therefore, hereby:

1 ORDERS that based on the parties' stipulation and only as to Defendants, their
2 successors, heirs, and assignees, this Injunction shall be and is hereby entered in the
3 within action as follows:

4 1) This Court has jurisdiction over the parties to this action and over the subject
5 matter hereof pursuant to 17 U.S.C. § 101 *et seq.*, 15 U.S.C. § 1051 *et seq.*, and 28
6 U.S.C. §§ 1331 and 1338. Service of process was properly made against Defendants.

7 2) Plaintiff claims that it owns or controls the pertinent rights in and to the
8 copyright registrations identified in Exhibit A, attached hereto (collectively "Plaintiff's
9 Copyrights").

10 3) Plaintiff claims that it owns or controls the pertinent rights in and to the
11 trademark registrations identified in Exhibit B, attached hereto (collectively
12 "Plaintiff's Trademarks"). (Plaintiff's Copyrights and Plaintiff's Trademarks are
13 collectively referred to herein as "Plaintiff's Properties".)

14 4) Plaintiff has alleged that Defendants have made unauthorized uses of Plaintiff's
15 Properties or substantially similar likenesses or colorable imitations thereof.

16 5) Defendants and their agents, servants, employees and all persons in active
17 concert and participation with them who receive actual notice of the Injunction are
18 hereby restrained and enjoined from:

19 a) Infringing Plaintiff's Properties, either directly or contributorily, in any
20 manner, including generally, but not limited to manufacturing, importing,
21 reproducing, distributing, advertising, selling and/or offering for sale any
22 unauthorized product which features any of Plaintiff's Properties
23 ("Unauthorized Products"), and, specifically from:

24 i) Importing, manufacturing, reproducing, distributing, advertising,
25 selling and/or offering for sale the Unauthorized Products or any other
26 unauthorized products which picture, reproduce, copy or use the
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1 likenesses of or bear a substantial similarity to any of Plaintiff's
2 Properties;

3 ii) Importing, manufacturing, reproducing, distributing, advertising,
4 selling and/or offering for sale in connection thereto any unauthorized
5 promotional materials, labels, packaging or containers which picture,
6 reproduce, copy or use the likenesses of or bear a confusing similarity to
7 any of Plaintiff's Properties;

8 iii) Engaging in any conduct that tends falsely to represent that, or is
9 likely to confuse, mislead or deceive purchasers, Defendants' customers
10 and/or members of the public to believe, the actions of Defendants, the
11 products sold by Defendants, or Defendants themselves are connected
12 with Plaintiff, are sponsored, approved or licensed by Plaintiff, or are
13 affiliated with Plaintiff;

14 iv) Affixing, applying, annexing or using in connection with the
15 importation, manufacture, reproduction, distribution, advertising, sale
16 and/or offer for sale or other use of any goods or services, a false
17 description or representation, including words or other symbols, tending
18 to falsely describe or represent such goods as being those of Plaintiff.

19 6) Each side shall bear its own fees and costs of suit.

20 7) Except as provided herein, all claims alleged in the Complaint are dismissed
21 with prejudice.

22 8) This Injunction shall be deemed to have been served upon Defendants at the
23 time of its execution by the Court.


24 9) The Court finds there is no just reason for delay in entering this Injunction and,
25 pursuant to Rule 54(a) of the Federal Rules of Civil Procedure, the Court directs
26 immediate entry of this Injunction against Defendants.
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10) The Court shall retain jurisdiction of this action to entertain such further proceedings and to enter such further orders as may be necessary or appropriate to implement and enforce the provisions of this Injunction.

11) The above-captioned action, shall, upon filing by Plaintiff of the Settlement Agreement, Stipulation for Entry of Judgment and Judgment Pursuant to Stipulation, and requesting entry of judgment against Defendants, be reopened should Defendants default under the terms of the Settlement Agreement.

12) This Court shall retain jurisdiction over the Defendants for the purpose of making further orders necessary or proper for the construction or modification of this consent decree and judgment; the enforcement hereof; the punishment of any violations hereof; and for the possible entry of a further Judgment Pursuant to Stipulation in this action.

DATED: October 13, 2010


Hon. Dean D. Pregerson
United States District Judge

PRESENTED BY:

J. Andrew Coombs, A Prof. Corp.

By: _____
J. Andrew Coombs
Nicole L. Drey
Attorneys for Plaintiff Disney
Enterprises, Inc.

Roger Roye, an individual and d/b/a
www.disnyshop.com

By: _____
Roger Roye, an individual and
d/b/a www.disnyshop.com
Defendant, *in pro se*

Double R Distributing

By: _____
Its:
Defendant

Exhibit A**Plaintiff's Copyrights**

Item Title	Registration Nos.
101 Dalmatians II: Patch's London Adventure	PA1-207-593
101 One Hundred and One Dalmatians	PA 789-990
50. Dinosaur	PA 974-011
A Bug's Life	PA 901-890
Aladdin	PA1-262-714
Aladdin And The King Of Thieves	PA 801-069
Alice in Wonderland	LP 1477
Alice in Wonderland (DVD, 2004)	PA 869-663
Atlantis: Milo's Return	PA1-255-687
Atlantis: The Lost Empire	PA1-039-237
Baby Bach Musical Adventure	PA-1-022-983
Baby Beethoven Symphony of Fun	PA-1-249-262
Baby Da Vinci From Head to Toe	PA-1-249-263
Baby Einstein Favorite Places – First Words Around Town	PA 1-617-388
Baby Einstein Meet the Orchestra – First Instruments	PA 1-618-722
Baby Einstein's Baby's First Moves	PA 1-683-381
Baby Galileo Discovery the Sky	PA-1-218-232
Baby McDonald A Day on the Farm	PA-1-249-324
Baby Monet Discovering the Seasons	PA-1-294-358
Baby Mozart Music Festival	PA-974-419
Baby Neptune Discovering Water	PA-1-221-493
Baby Newton Discovering Shapes	PA-1-145-602
Baby Noah Animal Expedition	PA-1-264-166
Baby Santa's Music Box	PA-1-089-272
Baby Shakespeare World of Poetry	PA-953-899
Baby van Gogh World of Colors	PA-953-900
Baby Wordsworth First Words Around the House	PA 1-618-731
Bambi	LP 12270
Bambi (DVD, 2005)	LP 12270
Bambi II	PA1-325-585
Beauty And The Beast	PA 542-647
Beauty and the beast II: The Enchanted Christmas	PA 839-704
Bedknobs and Broomsticks	LP 39817
Brother Bear	PA1-188-459

1	Brother Bear 2	PA1-373-676
2	Cars	PA1-322-908
3	Chicken Little	PA1-297-755
4	Cinderella	LP 2819; R 648396
5	Cinderella (DVD, 2005)	LP 2819; R 648396
6	Cinderella II: Dreams Come True	PA1-122-518
7	Cinderella III: A Twist in Time	APPLICATION
8	Donald Duck And The Gorilla	R 502-195
9	Dumbo	LP 11124
10	Enchanted Tales: Follow Your Dreams	PA 1-601-882
11	Everybody Loves Donald	COMPILATION
12	Everybody Loves Goofy	COMPILATION
13	Everybody Loves Mickey	COMPILATION
14	Fantasia	M 10761
15	Fantasia/2000	PA 959-712
16	Finidng Nemo	PA1-146-502
17	Hercules	PA 670-961
18	Home on the Range	PA1-213-738
19	James and the Giant Peach	PA 779-161
20	Krook's New Groove	PA1-325-586
21	Lady and the Tramp	LP 4675
22	Lady and the Tramp II: Scamp's Adventure	PA1-352-946
23	Language Nursery	PA-1-255-727
24	Life With Mickey Town	Document Number: V3299P482
25	Lilo & Stitch	PA1-082-244
26	Lilo & Stitch 2: Stitch Has a Glitch	PA1-294-495
27	Mary Poppins	LP 28936
28	Meet the Robinsons	PA 1-332-118
	Mickey Mouse Clubhouse Mickey Saves Santa	PA 1-350-382
	Mickey Mouse Clubhouse: Great Clubhouse Hunt	PA 1-610-709
	Mickey's House of Villains	PA1-151-103
	Mickey's Magical Christmas: Snowed In At Yhe House Of Mouse	PA 1-073-895
	Mickey's Twice Upon a Christmas	PA1-255-686
	Monsters Inc.	PA1-038-178
	Mulan	PA 799-025

1	Mulan II	PA1-271-185
2	Neighborhood Animals	PA-1-052-809
3	Numbers Nursery	PA-1-249-261
4	Peter Pan	LP 3193
5	Pinocchio	LP 9415
6	Pocahontas	PA 720-179
7	Pocahontas II: Journey to a New World	PA 895-668
8	Ratatouille	PA1-354-935
9	Recess: School's Out	PA 941-081
10	Return the Never Land	PA1-072-441
11	Robin Hood	LP 42905
12	Sleeping Beauty	LP 13782
13	Snow White and the Seven Dwarfs	LP 7689
14	Tarzan	PA 939-561
15	Tarzan II	PA1-293-191
16	The Adventures of Ichabod and Mr. Toad	R 645-052
17	The Aristocats	RE 783-204; LP 38283
18	The Black Cauldron	PA 252-525
19	The Chronological Donald: volume one	PA 1-265-439
20	The Emperor's New Groove	PA 940-885
21	The Fox And The Hound	PA 125-861
22	The Hunchback of Notre Dame	PA 795-221
23	The Hunchback of Notre Dame II	PA 1-122-520
24	The Incredibles	PA1-250-536
25	The Jungle Book	LP 34804
26	The Jungle Book 2	PA1-095-956
27	The Lion King	PA 659-979
28	The Lion King II: Simba's Pride	PAU2325-441
	The Lion King1 1/2	PA1-255-685
	The Little Mermaid	PA 431-543
	The Little Mermaid II: Return To The Sea	PA1-013-719
	The Nightmare Before Christmas	PA 659-601
	The Rescuers	LP 49678
	The Rescuers Down Under	PA 486-535
	The Return Of Jafar	PA 736-151
	The Sword In The Stone	RE 546-478
	The Three Caballeros	LP 13147
	The Three Musketeers	PA1-255-689

1	The Tigger Movie	PA 966-196
2	The Wild	PA1-317-638
3	Toy Story	PA 765-713
4	Toy Story 2	PA 959-870
5	Treasure Planet	PA1-107-581
6	Valiant	PA1-283-543
7	WALT DISNEY ANIMATION COLLECTION VOLUME 2: THREE LITTLE PIGS	PA 1-332-118
8	WALT DISNEY ANIMATION COLLECTION VOLUME 4: THE TORTOISE AND THE HARE	PA 1-665-409
9	Walt Disney Treasures 1: The complete Pluto : vol. 1, 1930-1942	PA 1-265-432
10	Who Framed Roger Rabbit	PA 368-781
11	Winnie the Pooh: Heffalump Movie	PA1-302-193
12	Winnie The Pooh: Many Adventures	LP 47924
13	World Animals	PA-137-727

Exhibit B**Plaintiff's Trademarks**

Trademark	Mark Drawing Code	Trademark Registration No.	Trademark Registration Date
Disney	Typed Drawing	1,162,727	7/28/81
Disney	Typed Drawing	1,838,246 (Serial Number 78163606)	5/31/94
Walt Disney	Typed Drawing	1,141,312	11/11/80
Walt Disney Signature	Standard Character Mark	1,162,727 (Serial Number 78864123)	7/28/81
Disney Presents The Lion King The Broadway Musical	Design and Words	2,436,121	3/20/2001
The Lion King	Standard Character Mark	3,097,393	5/30/2006
The Lion King	Design and Words	1,940,193	12/5/1995